

REMARKS

Claims 1 and 17 are amended. Claim 5 is canceled. No claims are added. As a result, claims 1-4 and 6-32 are now pending in this application.

Applicant respectfully submits that the amendments and additions to the claims are fully supported by the specification, as originally filed, and that no new matter has been added. Applicant hereby respectfully requests further examination and reconsideration of the application in view of the following remarks.

In the Restriction Requirement mailed September 16, 2008, the Examiner has restricted the claims to one of the following inventions under 37 CFR 1.499:

- I. Claims 1-16 and 26-31 drawn to pleatable filter structure for use in a filter panel.
- II. Claims 17-25 and 32, drawn to method of manufacturing the filter structure.

Applicant elects, with traverse, the claims of Group I (claims 1-16 and 26-31). Reconsideration and withdrawal of the Restriction Requirement, in view of the remarks presented herein, is respectfully requested.

The Office Action states that the claims of Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features. Specifically, the Office Action at page 2 states that the special technical feature of Group II is the moisture treatment comprising exposure to a humid or water-containing environment. The Office Action concludes that Group II lacks unity with Group I because they do not have the same technical feature. However, Applicant respectfully disagrees and submits that the Examiner has mischaracterized the special technical features of the claims. According to Rule 13.2 PCT, the requirement of unity of invention contained in Rule 13.1 PCT is fulfilled "when there is a technical relationship among the inventions involving one or more of the same or corresponding special technical features . . . that define the contribution which each of the claimed inventions, considered as a whole, makes over the prior art." Applicant amends claims 1 and 17 to more specifically recite similar technical features. Applicant respectfully submits that the instant claims are technically related in that they relate to the moisture treatment comprising exposure to a humid or water-containing

RESPONSE TO RESTRICTION REQUIREMENT

Serial Number: 10/542,617

Filing Date: December 28, 2005

Title: Filter structure, filter panel comprising the filter structure and method for manufacturing the filter structure

Page 8

Dkt: 1876.137US1

environment. Applicant respectfully submits that this feature forms a single general inventive concept. Accordingly, Applicant respectfully submits that there is no lack of unity present in the application. Therefore, Applicant respectfully requests the withdrawal of the lack of unity rejection.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application.

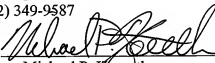
If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 349-9587

Date: November 17, 2008

By

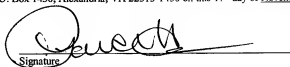


Michael P. Horvath
Reg. No. 57,235

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17th day of November 2008.

PATRICIA A. HULTMAN

Name


Signature